

AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1860

Introduced by Assembly Member V. Manuel Pérez

February 19, 2014

An act to amend Section 832 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL’S DIGEST

AB 1860, as amended, V. Manuel Pérez. Peace officers: basic training requirements.

Existing law requires every peace officer to complete an introductory course of training prescribed by the Commission on Peace Officer Standards and Training, except for specifically exempted categories of ~~people~~ *peace officers*, and imposes other training requirements on those persons who would exercise the powers of peace officers.

This bill *would provide that a probation department that is a certified provider of the introductory training course shall not be required to offer the course to the general public, and would make other* technical, nonsubstantive changes in those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 832 of the Penal Code is amended to
- 2 read:
- 3 832. (a) Every person described in this chapter as a peace
- 4 officer shall satisfactorily complete an introductory training course

1 prescribed by the Commission on Peace Officer Standards and
2 Training. On or after July 1, 1989, satisfactory completion of the
3 course shall be demonstrated by passage of an appropriate
4 examination developed or approved by the commission. Training
5 in the carrying and use of firearms shall not be required of a peace
6 officer whose employing agency prohibits the use of firearms.

7 (b) (1) Every peace officer described in this chapter, prior to
8 the exercise of the powers of a peace officer, shall have
9 satisfactorily completed the *training* course ~~of training~~ described
10 in subdivision (a).

11 (2) Every peace officer described in Section 13510 or in
12 subdivision (a) of Section 830.2 may satisfactorily complete the
13 training required by this section as part of the training prescribed
14 pursuant to Section 13510.

15 (c) Persons described in this chapter as peace officers who have
16 not satisfactorily completed the course described in subdivision
17 (a), as specified in subdivision (b), shall not have the powers of a
18 peace officer until they satisfactorily complete the course.

19 (d) A peace officer who, on March 4, 1972, possesses or is
20 qualified to possess the basic certificate as awarded by the
21 Commission on Peace Officer Standards and Training is exempted
22 from this section.

23 (e) (1) A person completing the training described in
24 subdivision (a) who does not become employed as a peace officer
25 within three years from the date of passing the examination
26 described in subdivision (a), or who has a three-year or longer
27 break in service as a peace officer, shall pass the examination
28 described in subdivision (a) prior to the exercise of the powers of
29 a peace officer, except for a person described in paragraph (2).

30 (2) The requirement in paragraph (1) does not apply to a person
31 who meets any of the following requirements:

32 (A) Is returning to a management position that is at the second
33 level of supervision or higher.

34 (B) Has successfully requalified for a basic course through the
35 Commission on Peace Officer Standards and Training.

36 (C) Has maintained proficiency through teaching the course
37 described in subdivision (a).

38 (D) During the break in California service, was continuously
39 employed as a peace officer in another state or at the federal level.

1 (E) Has previously met the requirements of subdivision (a), has
2 been appointed as a peace officer under subdivision (c) of Section
3 830.1, and has been continuously employed as a custodial officer
4 as defined in Section 831 or 831.5 by the agency making the peace
5 officer appointment since completing the training prescribed in
6 subdivision (a).

7 (f) The commission may charge appropriate fees for the
8 examination required by subdivision (e), not to exceed actual costs.

9 (g) Notwithstanding any other law, the commission may charge
10 appropriate fees for the examination required by subdivision (a)
11 to each applicant who is not sponsored by a local or other law
12 enforcement agency, or is not a peace officer employed by, or
13 under consideration for employment by, a state or local agency,
14 department, or district, or is not a custodial officer as defined in
15 Sections 831 and 831.5. The fees shall not exceed actual costs.

16 (h) *A probation department that is a certified provider of the*
17 *training course described in this section shall not be required to*
18 *offer the course to the general public.*